

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

Pauma Band of Luiseno Mission Indians of
the Pauma & Yuima Reservation,

Plaintiff,

vs.

State of California et al.,

Defendants.

CASE NO. 09cv01955-CAB (MDD)

ORDER GRANTING IN PART
PLAINTIFF'S MOTION FOR A
PROTECTIVE ORDER
[DOC. NO. 126]


Presently before the Court is Plaintiff's motion for a protective order [Doc. No. 126], Defendants' opposition [Doc. No. 135], and Plaintiff's reply thereto [Doc. No. 140]. In its motion, Plaintiff requests: (1) a ruling on the applicability of Rule 2-100 to Jacob A. Appelsmith; (2) an order commanding the disclosure of all evidence pertaining to settlement-related contacts between Appelsmith and Pauma; (3) the entry of a protective order. Having considered the papers and argument of counsel at the May 18, 2012 hearing, and for the reasons stated at the hearing, Plaintiff's requests numbered 1 and 2 above are DENIED, and Plaintiff's request 3 is GRANTED IN PART.

Given the unique nature of the parties, the Court orders the parties to negotiate a settlement protocol to control settlement discussions in this matter, in which each side will identify the individuals with authority to negotiate settlement and notice procedures for settlement discussions with General Council or Tribal Council members. On or before June 8, 2012, the parties shall jointly

1 submit their proposed protocol to Magistrate Judge Mitchell D. Dembin for resolution.

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3 IT IS SO ORDERED.

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5 DATED: May 23, 2012

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8 **CATHY ANN BENCIVENGO**
9 United States District Judge
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